

20. (Original) The method of claim 19, wherein determining the minimum number of seeks with respect to one or more data transfer rates and associated write buffer segments comprises adjusting the segment size with respect to the associated data rates wherein the summation of a plurality of ratios between the adjusted segment sizes and the respective data rates is indicative of the minimum number of seeks.

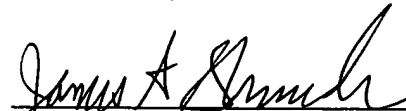
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**REMARKS**

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The Oath/Declaration was said to be defective because the signature of William Herz is missing. The undersigned is currently attempting to contact Mr. Herz to get his signature on the Declaration. Mr. Herz is no longer employed by the assignee of this company. However, immediately upon receiving his signed Declaration we will submit it. Therefore, the request for the signed Declaration is respectfully asked to be held in abeyance pending allowability of all pending claims.

Reconsideration of claim 14 along with all the other claims is respectfully requested.

Respectfully submitted,



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